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12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF WASHINGTON

14 UNITED STATES OF AMERICA,

15
16 Plaintiff,

17 v.

18
19 RONALD CRAIG ILG,

20
21 Defendant.

Case No. 2:21-cr-00049-WFN

**DECLARATION OF ANDREW M.
WAGLEY IN SUPPORT OF
DEFENDANT'S MOTION TO
EXCLUDE ALLEGED DARK
WEB MESSAGES AND WEBSITES**

22
23 I, Andrew M. Wagley, do hereby declare as follows:
24

- 25 1. I am over the age of eighteen and competent to testify regarding the
26 matters stated herein.
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28 2. I am one of the attorneys of record for the Defendant, Ronald C. Ilg
29 ("Dr. Ilg"). I make this Declaration in Support of Defendant's
30 Motion to Exclude Alleged Dark Web Messages and Websites.
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32

- 1 3. The accompanying Motion to Exclude Dark Web Messages and
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3 Websites should be construed as a “dispositive motion” subject to
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5 the 20-page limit of LCivR 7(f)(1), as incorporated into criminal
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7 matters pursuant to LCivR 83. In this vein, the Motion seeks to
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9 exclude and suppress from evidence the dark web messages,
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11 transcript, and dark websites, which purport to be the crux of the
12
13 Government’s case against Dr. Ilg. As such, if this Motion were
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15 granted, the disposition of multiple charges would likewise be
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17 determined. *See* Fed. R. Crim. P. 59(b)(1) (defining “dispositive
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19 matters” regarding magistrate referrals as “a defendant’s motion to
20 dismiss or quash an indictment or information, a motion to suppress
21 evidence, or any matter that may dispose of a charge or defense”).
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23 Furthermore, this Motion seeks to exclude such evidence not only on
24
25 constitutional grounds (*i.e.*, the Confrontation Clause), but also
26 pursuant to multiple provisions of the Federal Rules of Evidence.
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28 4. Attached hereto as **Exhibit A** is a true and correct copy of a
29
30 screenshot taken by me of a video provided by the Government in
31
32 discovery herein. This video is of the FBI’s alleged search of Dark
Website #1, entitled “Internet Killers.”

1 5. Attached hereto as **Exhibit B** is a true and correct copy of a
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3 screenshot taken by me of another video provided by the
4
5 Government in discovery herein. This video is of the FBI's alleged
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7 search of Dark Website #2, entitled "Sinaloa Cartel Marketplace."

8 6. Attached hereto as **Exhibit C** is a true and correct copy of a
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10 screenshot taken by me of another video provided by the
11
12 Government in discovery. This video is of the FBI's alleged search
13
14 of Dark Website #3, entitled "Dark Bitcoin Escrow (DBE)."

15 7. Attached hereto as **Exhibit D** is a true and correct copy of a Serial 22
16
17 Report propounded by the Government during discovery herein.

18 I hereby declare the foregoing is true and correct under penalty of perjury
19
20 of the laws of the State of Washington and the United States.

21 EXECUTED this 1st day of July, 2022 in Spokane, Washington.

22
23
24 By: /s/ Andrew M. Wagley
25 Andrew M. Wagley
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CERTIFICATE OF SERVICE

I hereby certify that on July 1, 2022, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to all attorneys of record in this matter.

EXECUTED in Spokane, Washington this 1st day of July, 2022.

By: /s/ Jodi Dineen
Jodi Dineen, Paralegal